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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. CONAWAY).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 25, 2005.

I hereby appoint the Honorable MICHAEL K. CONAWAY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

MEDICAL LIABILITY CRISIS

Mr. SHIMKUS. Mr. Speaker, I rise today again to remind my colleagues of the importance of passing a Medical Liability Reform bill on the floor of the House this week.

I would like to submit for the record and read a brief section of a news story from my district. These type of stories have become common in the media in my area over the past few years.

I quote, "One doctor who has been treating patients in Bethalto for more than 20 years is moving his practice to another state."

"The rate increases are forcing some doctors in Madison County to take their practices elsewhere. That is the case for Dr. Charles Sammis, who took over his father's practice 20 years ago.

"It would be so nice if I could stay here, but the way it is it is impossible." Dr. Sammis has been treating patients at his family practice in Godfrey for 20 years. Friday was his last day.

Dr. Sammis says the rising medical malpractice insurance rates in Madison County have forced him out. He is not alone. The whole Madison County area, I think there is maybe two or three left and everybody else has pretty much either retired or left.

Meantime, Dr. Sammis' departure has been especially hard on his patients. "You have all been nice to me and I appreciate it," he is quoted as saying. Dr. Sammis and his family are moving to Wisconsin where he plans to open another practice.

I would urge my colleagues to vote in favor of H.R. 5 this week. To stay competitive in the global marketplace and keep jobs in America, we need to ensure that our health care delivery system is fully intact.

BETHALTO DOCTOR CLOSES OFFICE DUE TO RISING MEDICAL MALPRACTICE RATES (By Erin O'Neill)

The debate continues over rising medical malpractice insurance costs and who's to blame. Some doctors in Madison County, Illinois say the jump in insurance premiums has forced them to close their offices.

One doctor, who has been treating patients in Bethalto for more than 20 years, is moving his practice to another state.

While medical malpractice is a problem all across the U.S., a recent report from the American Tort Reform Association suggested its especially common in the Metro East. Some say frivolous lawsuits are to blame, others say it is price gouging by the insurance companies.

The rate increases are forcing some doctors in Madison County to take their practices elsewhere. That's the case for Dr. Charles Sammis, who took over his father's practice 20 years ago.

"It would be so nice if I could stay here, but the way it is, it's impossible." Dr. Sammis has been treating patients at his family practice in Godfrey for 20 years. Friday was his last day.

Dr. Sammis says the rising medical malpractice insurance rates in Madison County have forced him out. He's not alone. "The whole Madison County area I think there's maybe two to three left and everybody else has pretty much either retired or left."

Dr. Sammis says frivolous lawsuits are to blame. Not so, says former Missouri Insurance Commissioner Jay Angoff, "The insurance companies are telling the doctors look over here its their fault when it's the insurance companies themselves."

Angoff says malpractice rates have more than doubled in the last five years, while the amount of money paid in claims actually dropped, so he says lawsuits aren't the problem. "So, there is no justification for premiums going up the way they are. And, if I were a doctor in Illinois I would call ISME up, that's a major malpractice insurer in Illinois, and say 'Why are my premiums going up when claim payments are going down?'"

But Dr. Sammis still believes needless litigation is behind the escalating costs and hopes tort reform is a solution. In May, Illinois lawmakers approved a plan to cap lawsuit awards in medical malpractice cases, but the bill remains on the Governors desk. "And we were hoping that our Governor would sign the bill and he's still waiting on it. And I know there's a lot of issues with that, but its getting very difficult to practice medicine here right now."

Meantime, Dr. Sammis' departure has been especially hard on his patients, "You've all been nice to me and I appreciate it."

Bob Vieregge has been going to Dr. Sammis for 20 years, "I told him the other day I said I lost my wife and I lost my priest and good friend and now I'm losing my doctor." Patient Mary Stanton says. "We just wish him all the best of everything where he's going."

Angoff says insurance companies in both Illinois and Missouri are notorious for very weak insurance regulation. He says insurance companies can raise rates at will and the insurance commissioner can't do anything about it. He says the solution is for local doctors to rally behind legislation that requires insurance companies to get the approval of the commissioner before raising rates.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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CENTRAL AMERICAN FREE TRADE AGREEMENT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Oregon (Mr. DEFAZIO) is recognized during morning hour debates for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, I was just actually watching a speech by the President. It was sort of the Grimm's Fairy Tales version of why Members of this House should vote for CAFTA, why Members of this House should vote to extend a failing trade policy to another five nations in Central America as a template for an even larger expansion of failed U.S. NAFTA free trade policies throughout the western hemisphere.

He talked about their subsistence farmers and how, if only the tariffs on very expensive U.S. agricultural machinery were removed, that additional 10 or 15 percent on the cost, how the subsistence farmers who average less than \$1,000 a year will be buying \$100,000, \$500,000 pieces of farm equipment. They will just trot right down to the local bank, and I guess the bank will extend them a loan for a \$500,000 piece of equipment they will never be able to pay for, and they will not be able to afford fuel to put this.

Now, that is the same kind of falsehood we heard about NAFTA, that this was going to be a boon for U.S. workers and manufactured goods because all the people of Mexico would take all their pesos, put them together, and they could afford to buy almost as much stuff as the people of New Jersey. In the case of CAFTA it is an even smaller economy, less capability.

He talked about how the factory workers there are just waiting in line to buy American goods. Of course \$0.40 an hour, you are not going to be buying a lot of American goods or probably not any. But they are working for a lot less than American production workers.

So what is going to happen with CAFTA? The same thing that happened with NAFTA. You are going to see U.S. capital flood south into Central America so that they can produce things that were once made here, textiles and other things in the case of Central America and in all probability. In the case of NAFTA, it was automobiles, auto parts, it was a whole flood of things, washing machines, driers, other appliances. It all went to Mexico. They predicted that NAFTA, just like with CAFTA, they said, oh, CAFTA is going to be great for the American economy. It will put people to work, create jobs. They said the same thing about NAFTA. It was going to create a million jobs. Instead it lost a million jobs.

Now, what they do is really tricky when they talk about CAFTA. They talk about how they have studied it

and studied it, and they see an increase in exports to Central America.

What they do not say is the President's own trade commission sees a much bigger increase in imports from Central America. That means a net deficit. That means we are selling less there than we are buying back. It means we are going to lose more jobs. It is the same condition we are in with the rest of the world.

The United States of America is borrowing \$2 billion a day to finance the purchase of overseas goods, goods that were once made here by people who earned a decent living.

This is not a sustainable model. And to extend it to Central America is not going to begin to put America on a better path to bringing jobs home to the United States, bringing wages back up for our production workers, seeing that they continue to have benefits.

American workers should not be asked to compete with workers who earn less than a \$1 an hour in Central America. But that is what will happen if this is passed.

Time and time again, the experts, the administrations, including the Democratic administration, the Clinton administration, which was a total disaster on trade, as bad as Bush and maybe worse, they come to this Congress and they say if only, if only you will open up our borders, it will bring great wealth to the American people, prosperity and jobs. And what it has brought is the loss of 3 million manufacturing jobs, a deficit of \$2 billion a day in trade, and driven down wages in countless industries across this country where all the boss has to say is, you will not take a pay cut? Not far to the Mexican border. That is where your plant is going. And they have done that again and again and again. So we should not extend this disaster one more time. And when all the apologists stand up and talk about all the wealth it is going to create, all the jobs and all the exports, remember, they said exactly the same thing about the NAFTA. They said exactly the same thing about China MFN and the WTO, and they were wrong, and there is no reason why they are not going to be wrong again, because they know that what they are saying is not true. It is just the way they have got to sell the package here to benefit a few industries to the disadvantage of the rest of the people in this country.

It is time for a trade policy that makes sense for all the people of America, not just a treasured few who own the stock and the factories of the multinational corporations that have been profiting from our failures.

ASSOCIATION HEALTH PLANS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Pennsylvania (Mr. FITZPATRICK) is recognized during morning hour debates for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today to address the issue of health care insurance in America, its rising costs and a solution that will help to reduce the cost for many Americans. Our Nation is in the midst of a health care crisis. This crisis affects Pennsylvania's health care professionals, their patients and the doctor-patient relationship. This crisis is especially acute in my district in South-eastern Pennsylvania.

Last week I held a small business committee forum in my district. The health care crisis and how it affects small businesses was the topic of the forum. The gentleman from Illinois (Mr. MANZULLO) was kind enough to come to the forum and to apply his many years of experience to the issue, and I thank the gentleman for his contribution and for his insights.

Pennsylvania's health care problems are among the worst in the Nation. Doctors in Pennsylvania are faced with some of the highest medical malpractice insurance rates in the country. Because they cannot afford to pay for malpractice insurance, many Pennsylvania physicians are practicing defensive medicine or simply shutting their doors, moving to other states or retiring. Young doctors establishing a new practice are reluctant to consider Pennsylvania because of malpractice insurance problems.

Over 50 percent of Pennsylvanians say their family has had difficulty in paying the cost of health care or obtaining health insurance coverage. Since 2001, the cost of health insurance has risen 59 percent, and employers who offer health care benefits are paying an average of 11 percent more for health insurance premiums than they did in 2004. This is the fourth year in a row of double digit increases with no end in sight.

From a national perspective, the statistics are staggering. The Labor Department has recently reported that 3.7 million new jobs were created since May of 2003, marking 25 consecutive months of positive job growth for the U.S. economy. Unfortunately, there are 41 million Americans who are without health care insurance. Nearly 60 percent of the 41 million uninsured Americans are employed by small businesses or are dependent on someone who is employed by a small business. As health care costs continue to increase, fewer employers and working families will be able to obtain coverage, and the number of uninsured will inevitably rise. For a Nation of the 21st Century, and in a country that boasts the world's largest and most productive economy, this is simply unacceptable.

The skyrocketing cost of health care is making employer-sponsored health coverage harder and harder for businesses, especially small businesses, to provide to their employees. This fact makes it nearly impossible for many hard working families to receive affordable care that they need and deserve.